

## Role of the Groundwater Advisory Committee in the Rule Development Process for Proposed Chapter NR 820

The Department of Natural Resources is proceeding with development of an administrative rule to initially implement portions of 2003 Wisconsin Act 310. The proposed rule will define the extent and basic conceptual framework of groundwater management areas as directed in Act 310. The rule will also implement provisions of Act 310 related to evaluation of impacts from proposed high capacity wells to groundwater protection areas and springs, and evaluation of proposed wells with a water loss of greater than 95%. The proposed rule will delineate the processes and criteria the department will use to determine the significance of impacts and factors to consider in evaluating proposed high capacity wells and the issuance or denial of necessary approvals.

The issues to be addressed by the administrative rule are complex. The Groundwater Advisory Committee (GAC) and related work groups consists of groundwater technical and policy experts with valuable perspectives on these issues. To some extent, the GAC is actively working on some of the same issues which will be addressed in the proposed rule. Thus, the rule-making process for development of proposed Chapter NR 820 must provide a mechanism to solicit and incorporate the input of the GAC, its subcommittees and technical work groups. To that end, the following steps are envisioned:

1. The department will share draft of discrete portions of the proposed rule with the GAC members, and the associated subcommittees and technical work groups as such sections are completed.
2. The department will share a preliminary final draft of the entire rule with the GAC in advance of its August 3, 2006 meeting. Comments and suggestions made at that meeting will be incorporated to the extent possible into the final draft which will be transmitted to the Natural Resources Board in late August, requesting authorization to conduct public hearings.

The department wants to involve the GAC in the rule-making process, yet we also need to move forward with development of the rule. If the GAC reaches consensus on the rule or aspects of the rule, we will incorporate their recommendations. If the GAC is not able to reach consensus, we will consider the various thoughts and views and do the best that we can to accommodate them in the rule draft taken to public hearing. In addition, there will be additional opportunity for the GAC to provide input to the department through the remainder of the rule-making process, which will continue for several months. The anticipated process includes the following key milestones:

1. Authorization to conduct public hearing at the September meeting of the Natural Resources Board.
2. Conduct public hearings around the state in late October.
3. Rule adoption at the December meeting of the Natural Resources Board.
4. Start of Legislative review in January 2007.